

## **Meeting Minutes of the Governor's Council on Substance Abuse Prevention and Treatment Courts and Justice-Involved Populations Subcommittee September 12, 2023, Approved**

### **Attendees:**

Amber Blankenship, Stephanie Bond, Carly Glover, Michael Kilkenny, Gary Krushansky, Tom Plymale, James Rowe, Stephanie Thornton (co-chair)

### **Opening:**

Stephanne Thornton (co-chair) provided welcome and opening remarks of this meeting of the Governor's Council on Substance Abuse Prevention and Treatment, Courts and Justice-Involved Populations Subcommittee. The meeting was called to order at on Tuesday, September 12, 2023 and was conducted by Zoom conference. A quorum was present to approve August meeting minutes. Judge Rowe made the motion to approve the minutes and Amber seconded the motion. The purpose of this meeting was to review town hall meeting updates and discuss 2023 implementation planning for the Courts and Justice-Involved Populations section of the State Plan.

### **Agenda Items:**

#### **Dr. Michael Kilkenny (Co-Chair of Treatment, Health Systems, and Research Subcommittee)**

- Stephanne set the scene of the discussion by highlighting the existence of significant gaps in services for individuals upon their release from incarceration, emphasizing that not everyone is effectively connected with community resources. She pointed out the lengthy waitlists for outpatient substance use or mental health clinics, resulting in individuals slipping through the cracks. There is a pressing need for clear guidelines to mitigate and reduce these service gaps.
- Dr. Kilkenny stressed the importance of ensuring access to MAT for incarcerated individuals, particularly those in regional jails with limited resources or individuals who do not disclose their medical history, often resulting in a lack of medication access during incarceration.
- The Cabell-Huntington Health Department's interactions with the jail system were described as inconsistent, with varying levels of communication and cooperation. This lack of consistency highlights the need for improved policies to facilitate the provision of services within the jail system and enhance collaboration.

- In terms of discharge planning in the western part of the state, appointments for services are available within a day of release. Additionally, peer support individuals within harm reduction programs can serve as catalysts to connect individuals with community health workers, emphasizing the importance of aligning resources and establishing communication to ensure a warm hand off.
- Dr. Kilkenny acknowledged the regional variations in available resources, particularly in the southern part of the state, and suggested the creation of a bridge between hospital systems to better understand and address local needs.
- The presence of nurses from the health department within jails is sporadic and dependent on existing relationships and trust between jail personnel and healthcare workers.
- Dr. Kilkenny noted a lack of communication between the health department and the head of the regional jail, attributing it to a perception that directives were state-driven and not adaptable to local needs.
- The level of understanding among correctional officers and staff about the health department's goals varies, underscoring the need for open communication and regular meetings to align priorities.
- The resources that the health department can provide to jails are contingent on the availability of staff, particularly within the harm reduction program. The discussion also touched on the unique aspect of West Virginia's harm reduction programs being integrated into the health department rather than existing as separate entities.
- Legislative restrictions imposed in response to community concerns about harm reduction programs were discussed. Dr. Kilkenny emphasized the importance of open and honest communication, acknowledging that it can be challenging but is necessary to bridge the gap with individuals who hold negative views.
- Stephanie highlighted potential cost savings associated with linking individuals to treatment, though she acknowledged that these savings may not always be apparent to the general public. Amber added that there is a significant number of costly emergency department visits by individuals who lack access to treatment after their release from incarceration.

### **Town Hall Meeting Updates**

- Stephanie was able to facilitate one town hall meeting and highlighted a significant takeaway from her breakout session, which emphasized the importance of addressing traumatic brain injuries (TBIs) among incarcerated individuals. She noted that a substantial proportion, ranging from 70% to 90%, of the incarcerated population had experienced TBIs, which posed obstacles to successful re-entry and also served as a co-occurring condition with substance use. WVU expressed a willingness to collaborate with individuals transitioning back into society to ensure they receive vital community connections.
- Another town hall meeting, specifically centered on youth and young adults, is scheduled for Monday, September 18th, from 10 AM to 12 PM. During this meeting, data from juvenile drug courts will be presented to represent the Courts Subcommittee's segment of the plan, and members of the subcommittee were encouraged to participate.

## 2023 Implementation Planning

### Goal 1

- Strategy 1: Ongoing discussions have taken place with Dr. Kilkenny and Dr. Amjad. Stephanie mentioned a recent conversation she had last month with an individual from Arkansas who is involved in offering MOUD in community corrections, considering its potential implementation in West Virginia. Stephanie pointed out that several corrections facilities have transitioned to being Medicaid billable without requiring additional certifications. It is suggested that MOUD provision might be more feasible in these locations.
- Strategy 1, KPI 1: Currently stands at 50% completion. While the subcommittee has documented and assessed the existing gaps, these gaps have not yet been addressed. Formulating a policy paper with recommendations for addressing these gaps will advance progress.
- Strategy 1, KPI 2: Currently stands at 25% completion. The absence of existing policies and procedures is hindering progress, as well as the Department of Corrections has been operating in emergency mode.
- Strategy 2, KPI 1: Discussion included revisions to the language to specify what needs to be addressed. Adding the qualifier "as measured by the 'lack of treatment services in the community;" will provide clarity.
- Strategy 2, KPI 2: Discussion also involved revisions to the language specifying what needs attention. Stephanie pointed out the existence of code outlining alternative sentencing options and avenues for addressing substance use. Stephanie Bond noted the challenges of standardizing these opportunities due to the varying resources across counties. The subcommittee intends to focus on outlining pathways for each court circuit to offer to judges and magistrates. Additionally, Stephanie mentioned that magistrates often seek information on how to assist offenders before their cases reach circuit court, such as providing Peer Recovery Support Services (PRSS), etc.

### Goal 2

- Strategy 1, KPI 1: The subcommittee has extensively deliberated this aspect, recognizing the cumbersome and costly process of petitioning each circuit for expungement. Marie Bechdel from Legal Aid provided valuable insights into related efforts, including the expansion of expungement clinics and securing waivers for individuals facing financial barriers to pursuing expungement. One potential alternative that has emerged is the Jobs & Hope initiative. However, it's important to note, as Amber pointed out, that if an individual has multiple convictions on separate dates, Jobs & Hope does not permit expungement, even for non-violent offenses, even after program completion.
- Strategy 2, KPI 3: Marked as 100% completed. Stephanie highlighted the existence of federal tax incentives for employers. Jobs & Hope offers a reimbursement program for businesses that hire individuals with prior criminal histories and submit monthly reports on the employee's progress, covering up to \$25,000 per year in employee salary. Amber also mentioned that the REACH initiative has a similar process in place, with minimal paperwork requirements for employers.

**Additional Discussion**

- Stephanie issued a reminder to members regarding the Yellow Line Project meeting scheduled for September 21st, running from 2 PM to 3 PM.
- Stephanie also took a moment to communicate with members, emphasizing that if anyone is experiencing a sense of constraint or if their priorities have shifted to the extent that they no longer wish to participate in the subcommittee due to burnout, they are encouraged to contact her.

**Adjournment:**

Hearing no further discussion, Stephanie closed the meeting by thanking all subcommittee members for their attendance and participation. The subcommittee will meet again on October 10<sup>th</sup> at 10 am.